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ATTORNEY FOR DEFENDANT MARIA
SILVEIRA, GABRIEL SILVEIRA, AND
S & S DRYWALL, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

GILDARDO OSORIO, RUBERTO)
INFANTE SOLIS, ELIONAI)
GONZALES, MARIN CORTEZ,)
ENRIQUE REINOSO, GUILLERMO)
RIOS, and GERARDO DAMIAN,)

Plaintiff,

Vs.

MARIA SILVERA dba S&S)
DRYWALL, GABRIEL SILVERA dba)
S&S DRYWALL; S&S DRYWALL,)
INC.,)

Defendant(s).

Case No. CV11-03890

**NOTICE OF SETTLEMENT, AND
STIPULATION AND ORDER
DISMISSING ENTIRE ACTION
WITHOUT PREJUDICE**

Judge: Honorable Lucy H. Koh

1 The parties herein, by and through their respective counsel of record, James Dal Bon,
2 Esq. , DUNN, DAL BON & MARGAIN, for Plaintiffs GILDARDO OSORIO, RUPERTO
3 INFANTE SOLIS, ELIONAI GONZALEZ, MARIN CORTEZ, ENRIQUE REINOSO,
4 GUILLERMO RIOS, GERARDO DAMIAN, ALFONSO GARCIA RICO, GUADALUPE
5 PONCE, JORGE GARCIA, FELIX JIMENEZ, JUAN HERNANDEZ, EFRAIN RODRIGUEZ,
6 CRISTOBAL ACOSTA, JOSE MEDEIROS, (hereinafter collectively "Plaintiffs"), and Daniel
7 G. Herns, Esq., LAW OFFICES OF DANIEL G. HERNS, for Defendants MARIA SILVEIRA,
8 GABRIEL SILVEIRA, S & S DRYWALL, INC., S & S DRYWALL LIMITED, ESPRESSO
9 CONSTRUCTION CLEAN-UP SERVICE, (hereinafter collectively "Defendants") and, with the
10 authority of their respective clients, stipulate as follows:

11 **NOTICE OF SETTLEMENT**

12 1. On November 14, 2012 the parties attended a Settlement Conference wherein the
13 parties agreed that the above captioned action, including all claims, counterclaims, and
14 affirmative defenses be dismissed without prejudice .

15 **THEREFORE, THE PARTIES HEREBY STIPULATE THAT:**

- 16 2. The Court should enter an Order dismissing the entire action as to all
17 Parties without prejudice.
- 18 3. Defendants shall have until April 15, 2012 to submit full payment in settlement of all
19 claims.
- 20 4. The parties request that the Court retain jurisdiction to enforce the settlement agreement
21 by issuing an Order to retain jurisdiction to enforce the settlement agreement.
- 22 5. Each party shall bear their own costs of litigation and attorneys' fees.

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1 Dated: November 30, 2012

2 DUNN, DAL BON & MARGAIN

3
4 By /s/ jdb .
5 JAMES DAL BON
6 ATTORNEY FOR PLAINTIFFS

7 Dated: November 30, 2012

8 LAW OFFICES OF DANIEL G. HERNS

9 By /s/ dgh .
10 DANIEL G. HERNS
11 ATTORNEY FOR DEFENDANTS
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UNITED STATES DISTRICT COURT
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GILDARDO OSORIO, RUBERTO
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GONZALES, MARIN CORTEZ,
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MARIA SILVERA dba S&S
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S&S DRYWALL; S&S DRYWALL,
INC.,

Defendant(s).

CASE NO. CV11-03890

ORDER

ORDER

1. The Court hereby issues an order dismissing without prejudice the entire action as to all parties. The parties shall file a stipulation of dismissal with prejudice by May 1, 2013. The Clerk shall close the file.

IT IS SO ORDERED.

Dated: November 30, 2012



HONARABLE LUCY H. KOH